

2 THE *Lat vol 22.*
T R I A L S
ON THE
I N F O R M A T I O N S
WHICH

In pursuance of an Order of the House of Commons,

WERE FILED BY

HIS MAJESTY'S ATTORNEY GENERAL

AGAINST

RICHARD SMITH, Esq. *K*

AND

THOMAS BRAND HOLLIS, Esq.

For having been Guilty of NOTORIOUS BRIBERY, and thereby procuring themselves to be Elected and Returned Burgeſſes to ſerve in Parliament for the Borough of HINDON,

Tried by a SPECIAL JURY on TUESDAY the 12th of MARCH, 1776.

At the Assize holden at SALISBURY for the County of WILTS;

BEFORE THE HONOURABLE

SIR BEAUMONT HOTHAM, KNT.

One of the Barons of His Majesty's Court of EXCHEQUER.

Taken in SHORT-HAND by JOSEPH GURNEY.

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THE L A S Y R O R M A T I O N S

In witness whereof, the Clerk of the Peace of the County of
Middlesex, hath caused the following to be printed and
published in the City of London, at the Office of the
Printer, in the Strand, at the Sign of the Crown, in the
Year of our Lord one thousand seven hundred and



THOMAS BURNARD HOLLS Esq.

of the County of Middlesex, Clerk of the Peace for the County of Middlesex, do hereby certify that the following is a true and correct copy of the original of the same, as the same was presented to the Clerk of the Peace for the County of Middlesex, on the 17th day of March, 1793.

And the Clerk of the Peace for the County of Middlesex, do hereby certify that the following is a true and correct copy of the original of the same, as the same was presented to the Clerk of the Peace for the County of Middlesex, on the 17th day of March, 1793.

Attest the Honorable
SIR BEAUMONT HOTHAM, Knt.
One of the Justices of the Peace for the County of Middlesex.

Printed by J. JOSEPH CURRY.

L O N D O N
By G. Kearsley, Bookseller, in Fleet Street; and M. Gurney, Bookseller,
No. 21, Pall Mall.

[RECEIVED BY THE CLERK]

Printed and Published by J. JOSEPH CURRY.

THE
T R I A L
OF THE
I N F O R M A T I O N
A G A I N S T
RICHARD SMITH, Esq.

Counsel for the Crown.

Mr. Serjeant GROSSE, Mr. MORRIS,
Mr. Serjeant HEATH, Mr. MOYSEY,
Mr. POPHAM. M. BULLER.

The INFORMATION states,

FIRST COUNT.—That the defendant, being a candidate to serve in parliament for the borough of Hindon at the last election, did corruptly solicit, urge, and endeavour to procure all the persons who voted for him (particularly naming them) each of them having a right to vote at that election, to give their votes for him the defendant; and the more effectually to corrupt them to give their votes for the said de-

Counsel for the Defendant.

Mr. Serjeant DAVY,
Mr. MANSFIELD,
Mr BATT.

fendant, he, on the 15th day of February 1773, gave, and caused and procured to be given to each of the said several persons respectively, who had such right to vote as aforesaid, the sum of five guineas, as a bribe and reward to engage, corrupt, and procure the said several persons respectively to give their votes in the said election for him the defendant, in order that he the defendant might be elected and returned a burgess in the then next parliament of this kingdom.

SECOND

SECOND COUNT.—That the said defendant, on the third of October, 1774, intending, by corrupt means, to procure himself to be elected a burges to serve in parliament for the said borough of Hindon, did declare and publish, that he would give to every person who had a right to vote in that election, bribes and rewards to vote in that election for him the defendant, with intent to corrupt the several persons having a right to vote in that election to give their votes for the defendant, that he might be elected and returned a burges to serve for the said borough in the then next parliament of this kingdom.

THIRD COUNT.—That the defendant intending, by corrupt means, to procure himself to be elected a burges to serve for the said borough in parliament, before the election, viz. on the fourth of April 1774, corruptly did give, and cause and procure to be given, to divers other persons (namely all the persons who voted for the defendant) five guineas, as a bribe and reward to each of the said last-mentioned persons, to engage, corrupt, and procure the said persons respectively to give their votes for him the defendant in that election, in order that he the said defendant might be elected a burges to serve for the said borough in the then next parliament of this kingdom.

FOURTH COUNT.—That the defendant, before the said election, to wit, on the eighth of October 1774, did corruptly give, and cause and procure to be given, to divers other persons (naming all the persons who voted for the defendant) each of them having a right to vote, the sum of five guineas, as a bribe and reward, to engage, corrupt, and procure the said several last-mentioned persons to give their votes for the said defendant; by means whereof the said several last-named persons who had such right to vote, were tempted, corrupted, and procured to give, and did give their votes in the said election for the said defendant.

FIFTH COUNT.—That the said defendant, on the said 8th day of October, corruptly did

give, and cause and procure to be given, to divers other persons (naming all the persons who voted for the defendant) each of them, at the time of the said election claiming a right to vote in the election of burgeses to serve in parliament for the said borough, the sum of five guineas, as a bribe and reward to engage and corrupt the several persons so claiming a right to vote as aforesaid respectively, to give their respective votes for the said defendant.

SIXTH COUNT.—That the said defendant, on the said 8th day of October 1774, corruptly did give and cause and procure to be given to divers persons (naming them) each of them having a right to vote in that election, the sum of five guineas, as a bribe and reward to engage, corrupt and procure the said several last-mentioned persons respectively, to give their respective votes in the said election for the said defendant.

SEVENTH COUNT.—That the said defendant, intending, by illegal and corrupt means, to procure himself to be elected and returned a burges to serve in parliament for the said borough, on the 10th day of October 1774, corruptly did lend, and cause and procure to be lent to divers other persons (naming all the persons who voted for the defendant) each of them having a right to vote in the election, the sum of five guineas, to engage, corrupt and procure the said several last-named persons, having a right to vote as aforesaid, to give their respective votes in the then next election of burgeses to serve for the said borough in the parliament of this kingdom, for the said defendant, in order that he might be elected and returned a burges to serve for the said borough in the then next parliament of this kingdom.

After Mr. BULLER had opened the Information, Mr. Serjeant GROSSE stated the facts upon which the charge against the defendant was founded, and then proceeded to examine the witnesses.

Mr. WHITE sworn.

Here is a copy of the original writ for the election, and of the return, and also the copy of an ancient return in 1716, (*putting them into court*)

Counsel for the Defendant. We admit it to be an ancient borough.

Mr. SALMON sworn.

This precept was made out by my father as under sheriff; it is his hand-writing.

Mr. THOMAS NOYES sworn.

This precept was delivered to me; I delivered it to Mr. Still, the bailiff of Hindon.

Mr. JAMES STILL sworn.

Examined by Mr. MORRIS.

I was returning officer for the borough of Hindon.

Do you remember who were candidates at that election?—*James Calthorpe, Esq;* was nominated by four of the electors; he was not present; *Richard Beckford, Esq;* was present; *Richard Smith, Esq;* and *Thomas Brand Hollis, Esq;* were the candidates; this is the original poll taken under my inspection, and signed by me. (*it is put into court.*)

FRANCIS MEADE sworn.

Examined by Mr. POPHAM.

Where do you live?—At Hindon.

Are you a voter for Hindon?—Yes, ever since I have been of age.

Do you know captain Nairn and parson Nairn?—I do.

Do you remember their coming to you at any time?—Yes, in January, 1773, at Mr. Lucas's, who keeps the George, a public house.

What did they say to you?—Captain Nairn sent for me and five or six more, and told us he had a gentleman to recommend to us.

For what?—To be a member for the town; that was what we took it to be.

Mr. Serjeant Davy. Don't say what you took it to be; tell the court what he said.—

He said he had a gentleman to recommend to us of a large extent of fortune; that he would not have him flung for 10,000 *l.* he would not have him flung for the Indies.

Who were in the room?—William Lucas, John Beckett, Thomas Howell, myself, and John Hart; William Penny came in afterwards.

Mr. Serjeant Davy. Was captain Nairn there?—Yes, and parson Nairn.

Mr. Popham. Then it was that captain Nairn said he had a gentleman to recommend to you?—Yes.

Did he say for what?—He said, To be a member for the borough.

What did he say of this gentleman that he meant to recommend to you?—He said he would lay down 3000 *l.* one thousand in a small trifle of time, one thousand at the next fall of the year, and one thousand just before the election, and he would not stand for 3, 4, or 500, over and above the 3000.

Was the proposal agreeable to the people that were present?—Yes, they liked it very well; we had a bottle or two of shrub together, and some of the people in the room were talking about *Captain Gold* of Shaftesbury; we said we would be higher than them, it should be *General Gold*.

Mr. Serjeant Davy. Who said that?—I cannot recollect which of the company; we drank *General Gold's* health; then captain Nairn said, He is a brave general; he has faced the mouth of many a cannon. The company asked captain Nairn, in what manner and how the money was to be let go? he said, Once in a fortnight or thereabouts he would send somebody, or something of that kind.

Was there any thing more passed at this time?—I do not recollect that there was.

What was the next thing you know of this business?—One Francis Ward, Esq; coming down from London, that was some time in February, I think, about the 9th, he came down to Hindon; there was another gentleman along with him and his lady; I saw him at Lucas's, the George.

Who was with you?—John Beckett and the rest I nominated before.

All the same people as before?—Yes, to the best of my knowledge.

William Lucas, John Beckett, Thomas Howell, yourself, John Hart and William Penny?—Yes.

What did Mr. Ward say to you?—That he was come in behalf of Captain Nairn, or his friend; and he had brought down some bank notes which he wanted to get changed; he and Mr. Hart went to Shaftesbury to change them, and he gave 10s. in the 100l. to get them changed.

Did he say what he brought these bank notes for?—On behalf of Captain Nairn and his friend.

What did they do with them?—They went to Mere to change them; they could not get them all changed there; they changed some at Shaftesbury: Thomas Howell and I went to Shaftesbury; I went there to assist in getting the notes changed, which they could not get changed at Mere.

Where was Beckett at this time?—He staid at home to draw notes of hand, the notes were for twenty guineas; there were four in each note.

How many people were to sign these notes?—Four.

Was this settled before you went out?—Yes, for Beckett to draw the notes, that was settled.

And he was to draw them as twenty guinea notes?—Yes.

Where did you go after your return?—We went to Lucas's that night; that was the Thursday night; it was Wednesday night we saw Ward first; it was Thursday we went to Shaftesbury; we came home together upon Thursday night from Shaftesbury.

Did you settle any thing at Lucas's that night after your return from Shaftesbury?—I packed up the money in papers, five guineas in a paper.

What did you determine to do with it?—To give it away to the Borough-men, as far as I know.

What was in fact done with it?—It was carried to a little cottage-house by Ward.

Was that settled at Lucas's too, that you were to go there?—Yes.

Whose house was that cottage-house?—George Hayward's.

When was it you were to go George Hayward's?—The next day, the Friday night, the voters came there and received the five guineas a piece; I suppose it was money, they took the parcels I saw made up at Lucas's.

Was it a pretty large assembly at Hayward's?—Yes, a good many were there.

Was he to receive any thing?—He had a guinea for the rent of the room.

How many people might be there that night?—Six or seven score I suppose.

Do you recollect any persons going in?—Yes.

Name any that you recollect?—I would rather go by the copy of the poll.

John Norton; was he one?—I won't say that all I shall nominate took the money at George Hayward's; some took it at Lucas's upon Sunday.

You remember being at Hayward's at this time?—Yes.

Who did you see there?—I cannot recollect all the persons that were there.

I don't mean you should recollect all the persons; I ask you now simply who you saw there?—A vast many of the voters; Mr. Ward, Mr. Hart, and John Beckett the Baker.

Now is John Beckett a voter?—Yes, and so was Mr. Hart.

Who was there besides?—Mr. Hart's wife.

Mention only the voters; who did you see there besides?—There and at Lucas's, I could nominate some.

Recollect as well as you can at Hayward's?—I cannot separately.

Were the same people at Lucas's that were at Hayward's?—Some were.

After you had done at Hayward's, you went to Lucas's the next night?—Yes.

And the same kind of business was carried on at Lucas's?—Just the same.

If I understand you, there is a little confusion in your mind, about whether they were at Hayward's or Lucas's; but you say you can name some that were at one or the other places, but you are not certain which?—I can nominate pretty nigh an hundred voters that were at both places.

I see your anxiety is about recollecting all of them, that is not material; now name those that you are sure of that were either at Hayward's or Lucas's?—Joseph Norton, Joseph Cuffe, John Edwards labourer, John Mashman, John Larkham, Renolder Bowles, Joseph Cholsey junior, John Davis senior, Richard Earwood, Samuel Daw, Thomas Harding, James Edwards, Joseph Cholsey senior, Thomas Spencer, William Scammel otherwise Target, John Dewey, Luke Beckett, Philip Beckett, Edward Beckett, Richard Pitman, John Bishop, Edward

ward

ward Halliday, James Gilbert; but I believe he was not polled: John Chiverell, John Dukes junior, Robert Wyer, Moses Weeks, George Dukes, Edward Tulick, Henry Jerrard.

Were these several persons that you have named, voters of Hindon at this time?—They were.

Did you see them either at Hayward's or the George next evening?—Yes, either at the one or the other of those places.

Can you say whether you saw those persons you have named either at one place or the other?—What I learnt so ready by, was having the list from John Beckett; he kept a list of them four in each, as they were drawn up in the notes.

You left off I believe with Henry Jerrard; go on to name some more?—John Davis junior, Edward White, John Hooper senior, John Hooper junior, Henry Huffle senior, Henry Huff junior, Benjamin Cholfey junior, James Wyer, John Bell, George Spender senior, William Lamb, Joseph Lamb, Robert Wyer, Matthew Stevens, William White, Richard Ingram, Francis Ranger, William Piercy, William Cuffe senior, Matthew White the elder, William Stevens, George Stevens, John Stevens Hagg, James Stevens Hagg, John Stevens junior, John Wyer the Sawyer, Benjamin Cholfey, William Ranger, Thomas Stevens, Francis Chiverell, Charles Wyer, James Wyer.

You mentioned James Wyer before?—There are two; one is a shoemaker the other a labourer; James Anderson senior, John Beckett a feevyer, Thomas Wyer a feevyer, Luke Beckett the elder, Roger Splender, Robert Day, Robert Taylor otherwise Small, James Stevens, Elias Stevens, Isaac Savage, William Gillham, Edward Piercy, Thomas Piercy, William Dukes, Roger Norton, James Gilbert, John Gane junior, John Gane senior; James Erwood's wife came for him; Nathaniel Phillips, Joseph Norton, Samuel Norton, John Ransom, Thomas Brookes, Joseph Scammell, William Sandel the elder and the younger, Luke Marshman senior.

Was the other there?—I am not certain only to one. There was John Marshman senior, John Marshman junior, William Harding labourer, Thomas Field, Samuel Field, John Bowles, Obadiah Ranger.

Is Obadiah Ranger called by any other name?—Sometimes they call him Robert.

Were those persons you have named at either Hayward's or Lucas's?—Yes, at one or other of them, or both, to the best of my knowledge.

Did any of them receive the money?—The money was put in paper, they took the paper off the board.

When did you first see General Smith at Hindon?—Maybe about a week or a fortnight before the election.

What did you do after this business at Hayward's and Lucas's?—We had a *bit* of a journey to London.

Who went to London?—I went along with Mr. Hart.

How long afterwards?—I cannot rightly recollect: it was some time afterwards we went to Mr. Ward's, at No. 16, in Sherborne-lane.

What was your conversation with Mr. Ward?—Something about guineas instead of pounds. Mr. Hart told me he had orders from the town that it should be guineas instead of pounds: he gave Mr. Ward a paper, but what was in it I don't know.

What did Mr. Ward say to that?—He said he would talk with the principal concerning of it.

Did he say any thing about the sum?—That it should be 3000 guineas instead of pounds.

Mr. Serjeant Davy. Was the sum 3000 mentioned?—It was meant.

Did you see any thing of the principal there?—I did not: he said he would apply to the place of meeting over Westminster-bridge, the Gun tavern or Gun alehouse, I think. Ward came, the principal did not.

Did any thing material happen at that meeting?—No, there was a letter came to us to appoint a meeting in Scotland-Yard, I think: we were not at home when the letter came; the next morning I went to the place where this gentleman was to meet us, and met Mr. Brown in the Strand.

Mr. Brown was the man that came down with Mr. Ward?—Yes.

Mr. Serjeant Davy. Is every gentleman that was in company with Mr. Ward, at any time, or upon any occasion, to be considered as an agent of General Smith?

Mr.

Mr. Popbam. If I do not carry it to Mr. Ward, from Mr. Ward up to Capt. Nairn, and from Capt. Nairn up to General Smith, I do nothing.

Meade. I met Mr. Brown in King-street, but I never met Mr. Ward afterwards.

Did you write any letter to Capt. Nairn about this?—Yes.

Did you receive any answer?—Yes.

(The letter shown the witness.)

Meade. This is the letter I wrote, this is the answer: I am certain that is the letter by the writing at the bottom of it.

(The letter read.)

Bury-street, St. James's, March the 1st, 1774.

Dear Sir,

I received your favour, dated the 26th instant, and am very much surprized that you, or any body in Hindon, should doubt the truth of what I formerly told you, or that I would neglect to acquaint them immediately of any accident or any intention in my friend to decline continuing in the first principle in which he set off. You may be assured, and I desire you will let the rest of my friends know, that he scorns to put another man's shoe on his foot, or let another man put his on; that he is a man of honour and large property, and not a very great distance from Hindon. If my agents, as you call them, did not give you a satisfactory answer, why did not Mr. Lucas, as I desired, write to me? And I request it may be so, that I may know the wishes of the town; for it was their interest and welfare I had at heart, and the motive of my interfering; and shall be, while with truth and honour I can call myself their's and your obedient faithful friend,

F. NAIRN.

Was there any uneasiness in the town at this time?—Yes, there was.

What was that about?—Because Mr. Nairn had not kept his word according to the time that he promised, because he did not advance the money as he had promised.

Was that the second payment?—Yes.

About what time was that uneasiness in the town?—I cannot recollect now, it was some time in the winter.

It was further on in the spring than the other passages you have been speaking of?—Yes.

What was the next thing done?—Some money to be given away at Lucas's.

When was that to be?—It was on Easter-eve, 1774.

You say there was money to be given away at Lucas's?—That was the report.

Who did you hear it from?—All the people as they came down stairs from taking the money.

Who did you hear it from before the money was given away?—Mr. Lucas ordered me to come and glaze a window for him, before they came to get the room for their reception.

When was that?—The Saturday morning, the day before Easter.

Do you know any thing that passed upon Easter-eve?—Parson Nairne said to me, go round to all those people who have not received the first eight guineas, tell them they shall all come in on Monday night and receive ten guineas each.

Did you invite the people?—Yes, I did go round with a lie in my mouth from a parson; that is the worst luck.

What was this money for?—I don't know, without it was for election-work.

What did parson Nairn say it was for?—He did not tell me what it was for, to my knowledge.

What passed the day after Easter-day?—The greater part of the people came to receive their ten guineas each.

About how many were there, fifty, a hundred, or twenty?—Not so many, I went up only towards the conclusion: on Monday night there were a vast number in the yard and round the house.

But you cannot tell how many?—I cannot tell how many took it.

Did you go up into the room?—I went up into the room on Monday; they would not let some of the people have it that the parson sent me to.

Why would they not let them have it?—Because the parson said afterwards there was none for them, it was all gone.

Had the rest the money?—So far as I know they had.

When was it that you first saw General Smith at Hindon?—I believe about a week before the election.

When did General Smith first come to Hindon?—I was not at home when he came.

Who did he come with when you saw him?—Parson Nairn and Capt. Nairn.

Were you present when either of them talked of General Smith?—I did not hear either of them mention General Smith's name.

Did you see them canvassing the town?— I saw them go up and down the town: I did not see them go into any particular house, except Lucas's, where they quartered.

Were captain Nairn and parson Nairn with them?—Yes, when I saw them walking in the street.

What name was General Smith, generally known by in Hindon at this time?—*General Gold* they used to call him before he came down.

Did the name continue after he came down?—One man, Thomas Brookes, voted for him upon the poll by the name of *General Gold*.

Were you present at any time when any talk was had in the presence of General Smith, about *General Gold*?—Not to my knowledge.

Do you know any thing about Punch dancing at Hindon?—I was not at home.

FRANCIS MEADE cross-examined by Mr. Sergeant DAVY.

So when you went to Lucas's to glaze the window on Easter-Monday, they would not let the men have the money, and among the rest I suppose did not let you have the money?— I did not ask for it; I did not intend to have it.

Did they never say they would not let you have it?—That must have been a mistake upon the committee: I said they would not let those people have it the parson sent me after.

So it was a mistake when the committee wrote it down, and you swore it, *that they would not let you have it, and it was a damn'd roguish trick*?—That was John Beckett and them.

So they made a mistake in that?—They might as well make a mistake in that, as to call me *John*, when my name is *Francis*.

You never swore before the committee that they would not let you have the money?— I cannot recollect that I did; not myself in particular.

You told us just now they would not let the people have it?—That was one and all.

I ask you whether you did or not swear before the committee that they would not let you have the money; and therefore you said it was a damn'd piece of roguery, and you would have nothing to do with it?—I said before the committee that I went up into the room

and Thomas Spencer said it was a damn'd piece of roguery, and I said it was a damn'd piece of roguery all round, and I would have no concern with it.

Hear the question out: Did you swear this, *that there was an excuse at that time that they would not let those who had not received any, have it—They would not let me have it*?—The meaning of the word signified the whole.

Did you swear that?—There might be a mistake in that.

Did you or not swear it?—I cannot say now.

You glazed that room upon Easter-eve?—Yes.

Then on Easter-Monday you went into the room?—Yes.

You said towards night. Did you see them give money to any body?—No, not while I was present.

Did you never swear you went into the room where they were giving money to the voters?—Where they had been giving money.

Did they *then* give money or no?—Not then; they had been giving, and gave some afterwards; they had done it before, and have since.

Then it is not true that you went into the room where they were giving money?—They had given some.

But is it true that you went into the room where they were giving?—I did not see them give any whilst I was there.

Consequently you cannot tell who gave it, of your own knowledge?—No.

You cannot tell, of your own knowledge, whether it was given at all?—No farther than what the Parson told me, and the voters told me they received five guineas a-piece.

Consequently you cannot tell any one that received it: now had you any money at any time?—No.

None at all?—No. Neither the first five guineas nor the second five guineas?—No.

How came you not to have it?—Because I did not have it, that was the reason.

Why did not you have it?—That is to myself.

But I will know; at least you shall swear something.—I did not ask for it.

Nor they did not offer it to you?—No. And why was that?—I cannot tell.

My friends, among the people that you have

given us an account of receiving the money. I think you say that Matthew White junior, was not there?—Not that I can recollect now.

Richard Pitman, was he there?—He was, to the best of my knowledge, and so were all the rest.

Why, here are a vast number; you stopp'd at Ranger, and here are thirteen more that you swore to before the committee, thirteen all in a line.—I cannot recollect them all again.

What list did you swear from then?—Them that I nominated by word of mouth.

You stop now, both by memory and the list, at Ranger, and omit thirteen names which immediately follow, besides about twenty more.

—If I don't recollect them, I can't mention them.

Don't you remember, before the committee, upon the cross-examination, you were examined touching the business of the malt-house, though that does not concern General Smith?—It does not.

You was examined touching the business of the malt-house?—Yes; but I don't know that I have any right to answer that now, as I have got an order to attend the house of commons.

Did you, or did you not, say that you never saw any money given at the malt-house?—Yes I did, and I will swear it again.

Did you never see a note put into the hole of the malt-house?—I never did, nor I never saw the hole till a year afterwards.

Did not you say, *That you was not at the malt-house*?—No, it was at a house adjoining to the malt-house.

I think you said you came into the room at Lucas's after the money had been given?—After some had been given.

Was any money given while you was there at Easter?—None at all: there was none given when I was present.

Was you present at the making of the bargain about selling those votes?—I was there when Nairn made the proposal.

Did not you agree to it?—I did, along with the rest of my neighbours.

You was one of the parties making this corrupt agreement to sell this borough?—I cannot help it now.

Mr. Popham. He repents of it.

Mr. Serj. Davy. Then you are a sad, repenting miserable sinner, are you? You made

a bargain for the money with the rest of them. —We consented to it all of us.

WILLIAM PENNY *sworn.*

Examined by Mr. MOYSEY.

You live at Hindon?—Yes.

Do you recollect having any conversation with Captain Nairn, in February 1773, about the election?—Yes.

What day was it?—I cannot tell; I believe it was on a Thursday; the captain came to my house; he shook hands with me; he asked me some questions; then he went to Lucas's, and sent Thomas Howell for me; he sent a second time, and then I went.

Who were there?—Thomas Howell, John Hart, Francis Mead, the Rev. John Nairn, William Lucas, and Captain Nairn.

What passed?—He desired me to sit down: then Captain Nairn said, he had a particular friend that he should be glad to present to the borough of Hindon, and he would not have him deceived, not for the Indies.

What passed then?—Then he said, his friend should produce 3000 *l.* and that he would not stand for 200 or 300 beyond the 3000.

Did he say any thing more?—Yes, that one thousand should be disposed of in a very little time, but he must go to London first; then there was some money brought, and *let go*, at William Lucas's, at the George: when he spoke these words, I was coming from him; he desired me to stop and drink a glass of something; he ordered a bottle of shrub to be brought.

Have you told us all that was said by Captain Nairn before the shrub was brought?—To the best of my remembrance.

Have you told us all he said about the money?—One thousand was to be let go immediately; one thousand at the fall; and a thousand about a week or a fortnight before the election.

Is that the whole he said about the money?—Yes.

What was said, in answer to this, by any of you? did they refuse it or accept it?—They accepted his proposal.

Was any thing more added to the proposal, or said about the proposal, before the shrub was called for?—Not that I recollect; as

soon as the shrub was called for, the conversation about the money dropped.

Was any thing more said about the election?
—Not at that time

Did you hear any thing more said by Nairn, who was to be their candidate?—The captain said, he did not know the names of all the voters that were there in company; he desired his brother, the Rev. Mr. Nairn, to write the names down of those that were present: then I drank some shrub by his desire and came away. I did not stay till the meeting was broke up; I left some people there.

Did you drink any body's health there?—When Lucas brought the bottle of shrub, Meade said, Whose health shall we drink? Lucas said, *Captain Gold*: Meade's answer was, He would not drink *Captain Gold*; Then, said Meade, it shall be *General Gold*: Yes, said the captain, he is a brave fellow; he has faced the mouth of many a cannon.

Was any thing more said about *Captain Gold*?
—Not that I heard; I left both the Nairns there, and the rest of the company.

Do you know Mr. Ward?—I did soon after I came from Lucas's.

About how long after this was it you met him at the George?—I was in company with him at the George the first time I saw him.

How long after what you have been speaking of?—About three weeks, or between three and four weeks.

Was you sent for there, or did you go of your own accord?—A message came to me that a Mr. Ward wanted to see me; I went to the George.

Who did you find there?—This Francis Ward, as he told me his name was; there were more people there, I cannot recollect every one.

Recollect those you happen to remember.—There was John Hart and Thomas Howell, and Beckett the baker.

How many might there be in number?—I cannot tell; a great many people came after me.

What was done?—There was some money let go, I believe.

From whom and to whom did the money pass?—From Francis Ward.

How did he begin—Did he say for what purpose he produced the money?—He said

he would lend five guineas to any neighbour of mine that was a voter in the borough of Hindon.

Was that upon your coming into the room?

—It was some time after I was in that room.

What might Ward say to you as soon as you came in?—He asked me how I did.

You never saw him before, I believe?—No, we had a great deal of discourse.

I want to know all he said about the election.

—It is impossible for me to recollect.

What, did he say he would lend some money to your friends?—They were his friends, not mine: he pulled out some money.

How much money did he pull out?—I cannot tell; there were some in papers, and some loose.

What did you see him do with that money?
—He delivered it to those who signed a note.

Were there a great many of those present?—Yes.

Did you see a great many sign the note?
—Yes.

And of course saw a great many receive the money?—I did.

How long might this money be giving, and the signing notes last?—It might end at about eight in the evening.

When did it begin?—I imagine, about one o'clock.

At what time was it you went there?
About one o'clock.

Then they were there from one till eight?—Yes.

And giving money all that time?—Yes, as fast as people came; but they came in very slow.

Was any thing said about the purpose for which that money was given?—No more than *General Gold's* health was drank at that time.

I suppose whenever they delivered any money his health was drank?—Yes.

There must have been a good many receive the money that day?—Yes.

This was at the George?—Yes.

When did you leave them?—About nine or ten o'clock I went away.

Did you leave Ward there?—Yes.

Ward did not tell you who he was, or who he came from, did he?—No.

You had never seen him before?—No.

When did you see him again?—I have not seen Mr. Ward since, to my knowledge.

You did not see him at Hayward's?—No.

This was in February 1773?—Yes.

Do you remember any thing of this sort in Easter 1774?—No.

Do you recollect seeing Parson Nairn about Easter, 1774?—He sent for me up to John Beckett's at the Swan.

Did you go?—Yes, to be sure, as he sent for me.

Who did you find there?—John Nairn; he was by himself when I went up stairs; he asked me what news was going about the town? my answer was, that I was informed that one *Jobber Stevens*, a butcher, was bringing some friend with some more money: John Nairn said, to the best of my remembrance, I will supply the poor that want some money, in a very little time.

What did you say to that?—I asked him whether his friend was in London or in the country? He told me he could not satisfy me then: I desired him to write a letter to his friend; I said, Your friend, if he be at home, it is but a day's ride to go there and back again.

Did you understand who it was then?—I understood it was General Smith; then Nairn sat by the fire-side, and said in a sneering manner, Aye, you don't know, it is not General Smith: my answer was, Then the Reverend Charles Humphries has told me a lie.

Did any thing more pass about *General Gold* at this time?—Not that I can recollect.

There was no one present but you two, were there?

John Beckett and Francis Mead came in.

Was any thing more said about the election after they came in?—They said, The way was, to let people have more money.

What did Nairn say?—It should be done very soon; but he must go to London first.

Did he mention the sum that was to be distributed?—Not that I recollect.

Was any thing more said about the money? That was all that passed then.

Did you see any money given any where on Easter eve?—No.

Did you see any money distributed on Easter eve?—No.

Do you know of any other occasion when money was distributed relative to the election?—I never knew any pass but with papers.

Do you know of any money passing without papers?—No.

When did you see General Smith?—I never changed a word with him in my life; Parson Nairn told me it was General Smith, just before the election at Hindon.

What was he doing when you saw him?—Parson Nairn came and shook me by the hand, and told me that was General Smith.

Who was with him besides the Rev. John Nairn?—A vast many.

Did any body speak to you about him at that time besides John Nairn?—No.

Did you see any thing of Punch?—No.

Can you recollect any other names of those that were present at the time of the money given by Mr. Ward in February 1773?—I can remember, Daniel Lambert, the apothecary, came, and received five guineas for himself and five for his father; and I saw William Newton, sen. and William Newton, jun. receive it.

Any body else?—Not that I can recollect.

WILLIAM PENNY *cross-examined by* Mr. MANSFIELD.

What are you?—An innholder commonly called.

You are one of the men that made this bargain at first for *Captain Gold*?—A bargain!

Yes, a bargain?—I made no bargain, because it was just what Nairn pleased; I could make no bargain.

What was you with Captain Nairn for at Lucas's when the Captain sent for you? what did you do there?—How could I make a bargain for the town? I could not make a bargain for myself.

Then, when Nairn proposed, as you said, to have a friend of his represent the borough, and there was 3000*l.* to produce, you said it was very wrong, and it should not be, I suppose.—You may suppose what you please.

But was it so?—I asked them that were there how they liked the proposal; they said, Very well.

You are one of them?—I was in company at the time.

Was you one of those that liked it?—I was in the company certainly.

But did you make any objection?—How could I.

You might have said you did not like it; did you upon your oath make any objection?—I did not find fault.

Upon your oath, did not you approve of it as well as the rest?—I asked them how they liked the proposal; they said, Very well.

Did not you give Captain Nairn to understand that you liked it very well?—I am upon my oath: what I have told you is truth hitherto.

Then you did not give Captain Nairn to understand that you approved of this proposal for the 3000*l.*—No farther than what I have told already.

You must answer yes or no, and men that will not answer are to be punished. Upon your oath, did you mean that Captain Nairn should understand that you approved of the proposal?—I cannot say farther than I have.

Court. Come, Sir, give an answer.——I looked round, and said, Gentlemen, how do you like the proposal? and they said they liked it very well: I did not say I *mis*liked it.

But what I ask of you is, whether you meant Captain Nairn should understand that you liked the proposal?—I made no objection against it, because the rest of the company were agreeable to it.

Then you liked the proposal?—I made no objections to it.

Did you like it?—I did not make any reply against it or for it.

How did you feel yourself? Did you like it?—I did not say.

Court. You have given very trifling answers; if you don't immediately answer the question, I will commit you: did you like it, or did you not like it?—Yes, I did.

You have told us that you went to this place; no mention was made who the person was, for whom this 3000*l.* was to be distributed?—General Smith's health was drank.

Was General Smith's name mentioned?—General Gold.

And that was mentioned after Captain Nairn had said they should drink Captain Gold?—Yes.

After this, you tell us, Ward came to the George: what time did you go to him?—It might be about one in the afternoon.

You swore before the committee, that it was about seven or eight in the evening when Ward came. Was it so?—It might be seven or eight o'clock.

Then how came you to say it was one?—

I was there in the day-time; I did not stay long there.

You said, *The first time I went to him was about seven or eight in the evening*: how came you to differ in your accounts? Which is the true account, or is neither of them true?—It is truth what I have spoke.

It cannot be all truth, because they are different stories: what time did you go to Mr. Ward?—It was in the day-time.

Did you go to him once or twice?—Once.

What did you mean by saying just now you went at one o'clock, and again at eight?—I was with him twice; it was all in one afternoon.

Then you went two separate times to him, did you?—Yes.

How long did you stay with him the first time?—I cannot tell rightly how long.

How came you not to say, when you was examined before, that you went to him in the day-time, about one o'clock?—I was with him about one o'clock, and I was with him at seven, eight, and nine.

Do you mean that you staid with him from one o'clock to seven or eight?—No.

You have said, *Hart, Howell, and Beckett* were there?—Yes.

Did they receive money?—Not that I saw.

Are you sure you saw Lambert receive money, or did Lambert tell you so?—I saw Lambert take the money, and I saw him sign.

DANIEL LAMBERT *sworn.*

Examined by Mr. BULLER.

What are you?—An apothecary.

Do you live at Hindon?—Yes.

Do you know Mr. Ward?—I saw him once.

When?—In 1773.

What part of the year?—In Feb. 1773.

Had you any conversation with him then?—Yes.

What was it about?—He desired to know whether I was a voter; I told him I hoped I was. He asked to know whether I would receive the favour or not, I told him I would. I hope it will not criminate myself my receiving the money that I am going to discover.

Mr. Serjeant Davy. You have no right to ask him to that.

Mr. Buller. Who did you see at Lucas's, when you were with Mr. Ward? — William Penny.

Who else? — I cannot recollect.

Was it at Lucas's that you saw Mr. Ward first? — Yes.

Who did you see besides? — There were others there.

Tell some of them? — I cannot, I do not know them.

Was Beckett there? — Not as I saw.

Or William Bennett? — William Bennett came in afterwards.

Was you at Beckett's upon Easter-eve 1774? — Yes.

Was any money given then? — I suppose I shall hurt myself if I give an answer to that.

Mr. Mansfield. You need not say any thing of any money given to yourself.

Mr. Serjeant Grosse. But you may of any money given to other persons. — I did not see any money given to any body-else.

Do you remember General Smith coming to Hindon? — Yes.

When did he come — On the 27th of August 1774.

Was he known to be a candidate before that time? No, a *General Gold* was known.

Who did that General Gold turn out to be? — General Smith.

How do you know that? — By the Reverend Charles Humphries.

General Smith came himself first of all on the 27th of August? — Yes.

What passed then? — He went to the Cross.

Who went with him? — A great crowd of people.

Mention some. — Robin Bennett was there.

Were the two Nairns there? — Yes.

What was done at the Cross? — Some words arose at the Cross. Bennett said, *One and all, or none at all.*

Did any body answer that? — Yes; General Smith himself. General Smith looked round upon parson Nairn, and said, *it should be one and all.*

Was there any complaint made at that time by any voter? — I cannot recollect what complaint.

Was there any? — I don't remember, not particularly; besides —

Besides what? — About One and all they hollowed out, *It shall be one and all.*

What was done afterwards? when they went from the Cross, where did they go? — The voters were ordered to public-houses.

To what public-houses did they go? — Some were ordered to one public-house, some to the other.

Did General Smith go to any of those houses? — Yes.

Which did you see him at? — The White Hart.

What passed there? — General Smith asked them for their votes at the next election. One Thomas Richardson was there, and said if his friend Nairn had been as good as his word he need not have come to canvass then.

Was any thing said what Nairn's word was? Was it explained what Nairn had said? — No.

What did General Smith say? — That he did not know but they were all easy; upon which parson Nairn put his hat before Richardson's face; then Captain Nairn and some more of them led General Smith out of the room.

What was Richardson doing when he put his hat before his face? — It was while he was speaking.

Was it before or after the hat was put up, that General Smith said he thought they were all easy? — Just at the same time.

Was you at Hindon on the 8th of October 1774? — Yes.

Was there any cry in the street then about General Smith? — *One and all, or else no Smith,* was the cry in the streets.

What passed after that? — A figure dressed in disguise, or something like it, that appeared.

What disguise was it dressed in? — In women's apparel; it passed by my father's door.

Who were with her? — John Stevens, Hagg and several others.

Can you mention any of the other person's names? — I cannot recollect.

Was Thomas Spencer with her? — I believe he was.

Where did she go? — I don't know; I did not follow her.

Was General Smith known to be a candidate before the time he came? — I heard so.

It was the talk of the town, was it?—No, I heard it by parson Humphries.

Was she in any disguise, or not?—It was in womens' apparel: I thought by its walk that it was a man.

THOMAS DOUGLAS *sworn.*

Examined by Mr. Serjeant GROSSE.

What are you?—An officer in the excise at Hindon.

Are you a voter at Hindon?—I am.

Do you remember General Smith's coming to Hindon before the last general election?—Yes.

When did you first see him?—It might be about two or three months before the election.

Do you remember in what month?—I believe it might be in August. I saw him go to the Crops.

Where was he when you first saw him?—Coming in at the lower end of the town in a carriage.

Who were with him?—I think both the Mr. Nairns were with him.

What passed when you saw him at the Crops?—He made a speech at the Crops, as gentlemen generally do upon this occasion.

Representing himself as a candidate?—Yes.

Do you recollect any complaint about that time in the town in your presence?—Robin Burnett at the Crops said, *One and all.*

Before or after the speech?—After the speech.

Was any answer given to that?—General Smith said, it should be one and all.

Who was with General Smith when he said this?—I think the Mr. Nairns on one side of him, and Burnett upon the other.

Were both the Nairns near him at that time?—They were.

Where did General Smith go from the Crops?—I think he went to Lucas's; but I am not certain.

Did you see him any where that day afterwards?—I saw him at James Cuffe's, the White Hart, upon the same day.

Can you recollect what passed at Cuffe's?—Thomas Richardson was along with us at Cuffe's, he told the General, that if Mr.

Nairn had been as good as his word, he need not have come at that time to them.

Were those the very words, or only the purport of the words?—The purport.

What answer was made to this?—I did not hear any answer.

Was Mr. Nairn there?—Yes, while Mr. Richardson was talking, Mr. Nairn put his hat towards Richardson's face.

What was done then?—Nothing more.

Did he go away immediately?—He went soon afterwards.

CHARLES SIMPSON *sworn.*

Examined by Mr. Serjeant HEATH.

Were you a voter at Hindon at the last general election?—Yes.

Was you at the house of General Hayward in the month of February 1773?—I believe it was about that time, but I cannot recollect particularly the favour of General Gold was distributing,

Did you go there?—Yes.

What time did you go there?—I cannot recollect; it was in the evening.

Did you see a great many people there?—There were a great many people at the door.

Did you go up stairs where the business was transacting?—Yes.

What was doing there?—There was a man sat by the table; I was to set my hand to a paper, which accordingly I did.

Mr. Serjeant Davy. You are not bound to give an account of what you took yourself—I saw a man there sitting at a table; they called him Ward.

What voters were in the room when you was there?—Francis Meade, Thomas Howell, John Beckett and Joseph Moody.

What did Ward do?—I put my hand to a paper; I did not presume to read it over whether it was a note or what.

At whose request did you put your hand to the paper?—I cannot tell positively who desired me.

What did you find in the paper?—Five good golden guineas: I carried them home.

Did anybody else sign the paper with you?—I don't remember any person did. When I had got

got the paper, my business was done, I went away.

For what purpose did you take this money; was any thing said to you in the room?—No, no more than to sign the paper.

Do you remember any thing passing on Easter Monday 1774, the year afterwards?—At the George, William Lucas's.

What was your errand there?—It was for the same purpose: It was a general report that the office was opened at Mr. Lucas's.

Did you go into the room where the business was transacting?—Yes.

Did you see any voters there?—Thomas Spencer the carpenter, and Beckett the baker.

Was any body distributing any thing?—I know not who it was.

Was there any body?—It must be a substance or else I could not have lifted up my hand, and had it put into it; Thomas Spencer ordered me to sign; I put my hand over the door and I received a paper.

Did you see who delivered it to you?—No, I don't know whether it was man, woman, or child.

Where was the person whose hand delivered you that paper?—Invisible to me.

Was he in the next room, or where?—In the fore room.

Did you see any body else take the money?—No.

What did they give you this last time?—I carried it home, and I found five golden guineas.

Do you remember General Smith's coming to Hindon?—Yes, I think that was the 27th of August.

Who was in his company?—The two Mr. Nairn's.

Where did he go?—He went upon the Cross.

I suppose a great number of people assembled?—A great many, both strangers and voters.

Did Mr. Nairn say any thing at that time?—Mr. Smith got up and made his declaration that he came to offer himself as a candidate for the Borough.

Did he say any thing about Mr. Nairn, or did Mr. Nairn say any thing at all?—He looked about and said something, it should be one and all.

But before that?—I cannot recollect, the inhabitants cried, *One and all, or none at all.*

Did the captain say any thing first?—It was he desired it should be one and all.

What did the general say?—He said it was his desire *it should be one and all.*

Was any thing said at that time to explain the meaning of one and all?—No, we knew what it was very well.

After this meeting was over did the general come where you were?—He went from the Cross down to the George; he came through the town afterwards.

Did you know who General Gold was before General Smith came?—He was called General Gold; we were very uneasy to know who he was; and it proved to be Richard Smith, Esq. who lives at Chilton lodge near Hungerford.

ANDREW FARRAT Sworn.

Examined by Mr. POPHAM.

Are you a voter at Hindon?—Yes.

How long have you lived there?—Eleven years last August.

Do you remember any thing about the distribution of favours, or any thing of that sort?—Yes.

When was it?—On Easter-eve 1774; I never received any before that.

Where did you receive that?—At Lucas's, at the George.

What did you receive that for?—To vote for General Smith as I apprehend.

Was General Smith's name mentioned to you?—Not as I apprehended.

How came you to mention General Smith's name?—It was reported such about the town.

Was there any other name mentioned?—Not at that time.

What did you receive?—Five guineas.

Who was there besides?—Beckett, Thomas Howell, Thomas Spencer.

Did you see them receive any thing?—No.

They were in the room?—Yes.

Were there other people there voters of Hindon?—Yes.

Where

Where did you receive this money?—
Through a hole in the upper part of the door.

Did you see the person that gave it you?—
No.

Did you sign any thing?—Yes, some
writing that was upon a paper: I did not read
it.

Did those people you have named receive it
likewise?—Yes.

Did they sign the paper at the same time?
—No.

Who did then?—James Wyer a grocer,
Thomas Penny a carpenter, and Harry Savage
a breeches-maker.

Did you see them receive the money?—I
saw them put their hands up to the hole.

Was any thing said about voting?—After
I had signed the paper, Thomas Howell bid
me put my hand up to the hole of the door;
I did, and received a paper.

What did he say more?—Nothing more
to the best of my knowledge.

Do you remember when General Smith came
to Hindon?—I was not at home then.

Did you come home while General Smith
was at Hindon?—No, I met him upon the
road,

Was you at Hindon when General Smith
was there at any time?—Yes, about a week
before the election; I was not at home when he
came to Hindon first; as I was coming into
town in my return he was going out.

JEREMIAH LUCAS *sworn.*

Examined by Mr. MOYSEY.

Do you remember when General Smith
came just before the election?—Yes.

You saw him?—Yes.

Where?—At Mr. Lucas's.

What passed when you saw him there?—
I did not speak to him.

What was said to him?—He went up to
the Cross; and as he was going up the inhabi-
tants cried, *One and all.*

What did the General say to that?—He
stood upon the Cross, and he repeated the
words.

He said, *One and all*?—Yes.

Did he say that more than once?—I don't
remember that he did.

Was it constantly said by the voters, *One
and all*?—Yes.

And did he constantly make that answer to
them?—Yes.

Mr. Serjeant Davy. Did he say it more
than once?—No.

Mr. Moysey. Did he constantly make that
answer when they constantly said it?—Yes.

Did you say, *One and all*?—No.

Repeat again what General Smith said.—
General Smith was up at the Cross, and the
inhabitants cried, *One and all.* He stood at
the Cross, and repeated those words, *One and
all; and he did not know but what they were
all made easy.*

Was you at the George upon Easter Mon-
day?—Yes.

Some money was given you?—Yes.

Who were present then?—Thomas Spen-
cer carpenter, John Beckett a baker, and Tho-
mas Howell. I do not remember any body
else: it was upon a Monday or Saturday.

There were some notes given, were there
not?—Yes.

Who gave notes?—We put our hands to a
paper.

Who put their hands to the paper at the same
time as you?—John Baldwin, Edward Beck-
ett, and Robert Tyley.

They all received the same money as you,
five guineas?—I never saw theirs.

GEORGE SPENDER *sworn.*

Examined by Mr. BULLER.

Was you at the George, at Lucas's?—
Yes.

When?—I cannot recollect what time.

How long before the election?—Some
time.

What time of the year?—I cannot say
exactly what month it was.

What was done there?—I went up into a
chamber. There was a gentleman there: they
told me his name was Ward: whether it was
or was not, I do not know. He said, his mo-
ney was out; but he would borrow some. I
put my hand to a paper, and he put a paper
into my hand which contained five guineas.

Did any body else receive any thing at that
time?—My son was with me; I believe he
received the same.

Was it mentioned in whose favour this was given?—I don't remember that it was.

Was you at the George on Easter Monday?
—Yes.

Who was there then?—Thomas Spencer the carpenter and John Beckett.

What is Beckett?—A baker.

What was done then?—We signed a note then.

Was your son there?—Yes.

Did he receive any thing?—I suppose he did; I did not see him receive it. We both put our hands to a paper.

Do you remember when General Smith came to Hindon?—Yes.

Did you hear the cry, *One and all*? —
Yes.

Did you cry, *One and all*?—Yes.

What did you mean by that?—That we should all be satisfied.

Had there been any uneasiness in the town before?—I cannot recollect any uneasiness.

Was you at Hindon on the Saturday before the election?—Yes.

Was there any cry in the streets then?—
There was a talk of Punch.

Who was that talk of Punch among?—
I cannot say who; one neighbour to another.

Was there any Punch came?—In the evening there was something went about in disguise.

What did that something do?—He came, and Elias Stevens knocked at my door with a long stick. I held out my hand, and somebody put a paper into my hand.

Who put that into your hand?—The person in disguise, to the best of my knowledge.

What was in that paper?—It contained five guineas.

REUBEN BURNET *sworn*.

Examined by Mr. Serjeant GROSSE.

Do you live at Hindon?—Yes.

You are a voter, are you?—Yes, I voted last time.

Do you remember General Smith's coming to Hindon?—Yes.

Who came with him?—Mr. Nairn, the parson.

Did the captain come with him?—I can-

not say; very likely he was there; I saw the parson there.

Do you remember their coming to the Cross?
—I do, I saw them at the Cross when General Smith came to the Cross; he said he came to offer himself for the borough, and hoped it would be agreeable to all: I stood by, and cried, *One and all*.

Was any thing else said but *One and all*?—
Nothing at all.

What was said upon that?—The General looked upon the Parson, and then turned round and said *it should be one and all*.

Was this repeated?—No.

Did several other persons cry out *One and all*?—Yes, there were a great many voters round the Cross, they all cried, *One and all*.

Were there any words followed after *One and all*?—Nothing mentioned.

THOMAS RICHARDSON *sworn*.

Examined by Mr. Serjeant HEATH.

Were you a voter at the last general election for Hindon?—Yes.

Do you remember General Smith's coming to Hindon?—Yes.

Where did he go?—To the Cross.

What did he say there?—I did not hear him.

Did General Smith speak to you?—Yes, at the White Hart.

Who was in company with him?—Daniel Lambert and Thomas Douglas.

Was any body else in company?—Yes, one or two more, but I do not remember who they were.

What did the General say to you?—He asked me for my vote and interest. I said, if Mr. Nairn had done what he ought to have done, he would have had no occasion to come canvassing the town that day.

Was Mr. Nairn in company?—Yes, both the Nairns: the parson put his hat up against my face, and said, *Hush! hush! we must have no more of that*.

What passed then?—The General was hussel'd off; Captain Nairn took him by one arm, and another person took Nairn by his arm, and they hussel'd him off. I took the General by the arm, and said, Please to hear what

what I have to say; but he went off, and there was no more conversation at that time.

Had you any conversation with him afterwards?—He came to my shop another day, and there he asked me for my vote and interest: I told him as I did before, that if Mr. Nairn had done what he ought to have done, there would have been no occasion to have come canvassing then.

Who was in company with him?—Parson Nairn said I was a liar, he had promised nothing: I told him he was a liar, he had.

Was General Smith present at this conversation?—He was; he went back a little from the shop door, then another man whispered in his ear, and he came back and whispered in my ear, and said, Madam Beckford at Fonthill desired her trades-people to support his interest.

Was any mention made of what money you were to have?—No.

Did you say what Mr. Nairn promised?—I did not say farther than what I mentioned.

Did you say what he ought to have done?—That would have made the town easy.

What was the conversation that passed?—We gave one another the lie, and then said no more.

Had Mr. Nairn promised you any thing?—He had promised me nothing in particular, but he had promised that every man in the town should be made easy alike.

When was that promise made?—At the first beginning of it.

What time was it you talked with Francis Meade about this money?—At Easter-eve.

What did he desire you to say to them?—He desired that those who had not received money should stay till Monday, and to those that had, it should be made up ten.

JOHN BALDWIN *sworn.*

Examined by Mr. POPHAM.

Are you a voter at Hindon?—Yes.

How long have you been a voter?—When I came of age: I voted at the last election.

Do you remember any money being given?—Yes.

At what time?—Upon Easter Monday at the George.

Did you receive any?—Yes, I had a small paper there.

How much did it contain?—Five guineas; I had it through the hole over the door.

Did you see the person that gave it you?—No.

Did you see any body else receive it?—Yes, Jeremiah Lucas, Edward Beckett and Robert Tyler.

Did they sign a note with you?—Yes. Whose money was this?—I don't know, they did not tell me.

Do you remember any others receiving it at this time?—No.

Or at any other time?—Not upon that account.

Who was talked of as the candidate for Hindon at this time?—General Gold.

Who did you at that time understand by General Gold?—We did not understand any other, but that it was General Gold at that time.

Who did General Gold turn out to be at that time?—General Smith.

Was General Smith called by any other name?—Only General Gold and General Smith.

JOHN BALDWIN, *cross-examined by Mr. Serjeant DAVY.*

How do you know that General Gold and General Smith is the same person?—I understood it so.

Do you know that there is not such a person as General Gold?—I don't know.

When you heard of General Gold, you had not heard of any other person; afterwards General Gold dropped it, and in his stead came General Smith; and then when General Smith came you did not know but it was the same person: that was all you knew of it?—Yes.

Mr. Popham. Did Captain Nairn or Parson Nairn introduce any other person by the name of General Gold?—When they came to town they produced General Smith.

THOMAS PENNY *sworn.*

Examined by Mr. MORRIS.

You live at Hindon with your father?—Yes.

What is his name?—William Penny.

Do

Do you remember General Smith's coming to town? — I don't remember any thing of his coming to town.

Do you remember any thing of his being at your father's? — Yes, about a week before the election.

What conversation passed there? — Some of the voters cried *One and all*.

What said the general to that? — It is so long ago I cannot recollect what answer he made to it.

Did he make any? — Somebody made answer, and said, it should be one and all, whether it was him or no I cannot say.

Who was it if it was not him? — I be not certain.

Who do you think it was? — Captain Nairn was with him.

Was it either him or Captain Nairn? — I do not know.

In February 1773, was you at Hayward's? — Yes.

What passed there? — I saw some voters sign their hands to the notes.

Did you sign yours? — Yes.

Who signed with you? — Thomas Wyer, Robert Wyer, and John Wyer.

They joined with you in a note? — Yes.

Did you get any thing for that note? — Yes, five guineas.

Had they any thing? — They took off the table, as I did, something wrapped up in a bit of brown paper.

Were you at Lucas's, the White-horse, upon Easter-eve? — Yes.

What passed there? — There was a favor there.

The same as it was at Hayward's? — Yes.

Who were the people that signed with you there? — Andrew Farrat, Henry Savage, and James Wyer.

Who were there besides? — Beckett, Spencer, and Howell.

How did they act? — John Beckett kept on writing.

What did Spencer do? — I imagine he took the notes we signed.

What did Howell do? — He was there.

But did he act at all? — I cannot remember that he did, but he was in the room along with them.

THOMAS MOORE *sworn*.

Examined by Mr. MOYSEY.

Do you remember being at the Angel at Hindon just before the election? — Yes.

Was General Smith there? — Yes.

Do you remember any conversation there about the election? — Yes.

What was said? — I asked the general why he had not made all the voters alike one and all; he said he meant, one and all, and it should be done and soon.

Do you recollect upon what day this was? — No, it was some time in September.

The September just before the election? — Yes.

What was said besides? — Parson Nairn took me by the hand and desired me to proceed no farther, not just then, for the general and him would wait upon every man at his own house that had not received the favor.

Did he say any more? — Mr. Nairn took his leave and went away directly.

Was there any thing more said by General Smith at that time. — Not as I remember.

You saw Mr. Nairn afterwards, did not you? — Yes, opposite the barber's shop.

When was this? — The Saturday before the election, which was upon a Monday.

How soon after that meeting was it? — About a week or ten days: I asked him why he did not make them all easy, he said it should be done soon.

Did he say any thing more? — No.

How soon after this conversation was it that *Punch* danced? — The same evening, I believe; I did not see *Punch*.

THOMAS MOORE, *cross-examined by Mr. Sergeant DAVY.*

Who was in the room at the Angel, besides you and General Smith and Mr. Nairn? — Henry Huff, John Hooper, Robert Rawden.

Who besides? — These were some, there were others; young Henry Huff was there, and I believe one of the Stevens's was there.

Was Penny there? — I believe not.

Or Lambert? — No.

Or Douglas?—I don't recollect that he was.

I believe Simpson was there, was he not?—I cannot remember.

Was Andrew Farrat or Spender there?—I cannot say.

Or Robert Burnett or Thomas Richardson?—Thomas Richardson was not there.

Thomas Penny?—He was not there.

There were a great many people there?—Yes.

And this was said loud in the hearing of a great many people?—Yes.

They all heard it then as well as you?—Yes.

But what was said by the barber's shop nobody heard but yourself?—I don't know that any body might; there was Luke Meade stood close by us; whether he heard what we said I cannot tell.

He was near enough to hear without listening, was he?—Yes.

ELIAS STEVENS sworn.

Examined by Mr. BULLER.

Did General Smith come at any time to your house at Hindon?—Yes.

Who were with him?—Beckett and the Nairns.

What was said by General Smith to you?—He asked me to give him my vote at the next election, I said I would not promise him;

he asked me for what reason; I said because he had not been so good as his promise; said he,

what do you mean by that, I don't know what you mean by it; the general pop'd back, and then Nairn said, *As sure as God is God every*

thing shall be to your expectation,

Which Nairn was that?—The parson.

Did you tell General Smith what the promise was that he had not been so good as?

—I cannot say whether I did or not. I told him the town were uneasy in general; and therefore I should not promise my vote.

ELIAS STEVENS, cross-examined by Mr.

MANSFIELD.

So when you said he had not been as good as his word, he asked you what you meant by that?—The parson did.

What did General Smith say to you?—No more, only asked me for my vote; and when I told him I would not promise him, then he struck out at the door, and then it was parson Nairn spoke to me.

Mr. Buller. Was it to General Smith or to Mr. Nairn that you said you had been deceived?

—To parson Nairn.

Was any thing said about your being deceived before General Smith turned out?—No, I told Mr. Nairn the town were uneasy: he asked me what I meant by it; I told him it was reported that 500 or 5000 guineas were to be given at separate times, that it was to be given to the town all in general, that they had not been so good as their word, and therefore I would not promise my vote.

That then he used the expression, that, as sure as God is God every thing should be to your expectation?—Yes.

Mr. Serjeant Davy. General Smith heard nothing of what you had said about being deceived?—No, he was gone out at the door.

Was it before General Smith went away that Mr Nairn said, *As sure as God is God you shall have no reason to complain*?—No, it was after he was gone out at the door.

Court. Do you know where General Smith went when he went out of the house?—He went to every voter's house.

Did he wait for Captain Nairn?—I cannot take upon me to say whether he did or not, because I was in the house.

Mr. Serjeant Davy. He had a great many people with him besides Captain Nairn, had he not?—Yes, he had.

The evidence in support of the Informations being closed, Mr. SERJEANT DAVY made a Speech to the Jury in defence of his Client, but did not call any witnesses.

After Mr. BARON HOTHAM had summed up the Evidence to the Jury, they returned a verdict, finding the Defendant GUILTY of the CHARGE ALLEGED in the INFORMATION.

The TRIAL of the INFORMATION against Thomas Brand Hollis, Esq.

Counsel for the Crown.

Mr. Serjeant DAVY, Mr. POPHAM,
Mr. Serjeant GROSSE, Mr. MORRIS,
Mr. Serjeant HEATH, Mr. MOYSEY.

Counsel for the Defendant.

Mr. MANSFIELD,
Mr. BULLER,
Mr. BATT.

The INFORMATION Stands,

FIRST COUNT.—That the defendant being a candidate to serve in parliament for the borough of Hindon, at the last election, did corruptly solicit, urge and endeavour to procure (all the persons who voted for him, particularly naming them) each of them having a right to vote at that election, to give their votes for him the defendant; and the more effectually to corrupt them to give their votes for the said defendant, he, on the 29th of August 1774, gave, and caused and procured to be given, to each of the several persons respectively, who had a right to vote as aforesaid, the sum of fifteen guineas, as a bribe and reward to engage, corrupt and procure the said several persons respectively to give their votes in the said election for him the defendant, in order that he the defendant might be elected and returned a burges for the said borough in the then next parliament; by which means the several persons were tempted to give, and did give their votes for the defendant in that election.

SECOND COUNT.—That on the said 10th of October 1774, it was expected, by the persons having a right to vote in the election of a burges to serve in the said borough, in the parliament of this kingdom, that divers persons would offer themselves candidates at the said election, and would give money to the persons having a right to vote in such election, as bribes and rewards to such persons for giving their votes in that election; and that the defendant, knowing the premises, and intending by corrupt means to procure himself to be elected a burges to serve in parliament for the said borough, on the same day and year aforesaid, at Hindon aforesaid, in the presence and hearing of divers persons who had a right to vote in that election, did declare that he would be as good as any gentleman; meaning, that he

ing a right to vote in that election, for giving their votes for him the defendant, as any person who should be a candidate should give to the persons having a right to vote as aforesaid, with intent to corrupt the persons having a right to vote in that election to give their votes for the said defendant, that he might be elected and returned a burges to serve for the said borough in the then next parliament.

THIRD COUNT.—That the said defendant, on the 10th of October 1774, intending by corrupt means to procure himself to be elected a burges to serve in parliament for the said borough of Hindon, did declare and publish, at the said borough of Hindon, that he would give as much money to the persons having a right to vote in that election, as bribes and rewards for their giving their votes for him this defendant, as any person who should be a candidate should give to the persons who had a right to vote in that election, as bribes and rewards for their votes at the said election; with intent to corrupt the several persons having a right to vote in that election to give their votes for the defendant, that he might be elected and returned a burges to serve for the said borough in the then next parliament of this kingdom.

FOURTH COUNT.—That the said defendant, intending by corrupt means to procure himself to be elected to serve as a burges for the said borough in the then next parliament of this kingdom, on the 3d of October 1774, in the presence of the persons who had a right to vote in that election, did declare, that he would give to every person who had a right to vote in the said election, bribes and rewards to vote in that election for him the said defendant, with intent to procure himself to be elected a burges for the said borough in the then next parliament of this kingdom.

FIFTH COUNT.—That the said defendant, before the election, *viz.* on the 29th of August 1774, corruptly did give, and cause and procure to be given, to divers persons, *viz.* all the persons who voted for him, each of them having a right to vote in that election, the sum of fifteen guineas, to corrupt and procure the said several persons to give their votes in the said election for the said defendant, in order that he might be elected and returned a burgess of the said borough, to serve in the then next parliament of this kingdom.

SIXTH COUNT.—That the defendant, intending by illegal and corrupt means to procure himself to be elected and returned to serve as a burgess of the said borough in parliament, before the said election, *viz.* on the 13th of September 1774, did corruptly give, and cause and procure to be given, to divers persons, *viz.* all the persons who voted for him, each of them claiming a right to vote in the said election, the sum of fifteen guineas, as a bribe and reward to engage the said several persons so claiming a right to vote, to give their respective votes in the said election for the said defendant, in order that he might be elected and returned a burgess to serve for the said borough in the then next parliament of this kingdom.

SEVENTH COUNT.—That the defendant, intending corruptly to procure himself to be elected a burgess of this borough in the parliament of this kingdom, on the 8th of October 1774, gave, and caused and procured to be given, to all the persons who voted for him in the election, each of them having a right to vote in the said election, the sum of fifteen guineas, as a bribe and reward to corrupt the said several persons to give their vote in the said election for the said defendant, in order that he might be elected and returned to serve as a burgess for the said borough in the then next parliament of this kingdom.

EIGHTH COUNT.—That the said defendant, intending by corrupt means to procure himself to be elected and returned a burgess to serve in the said borough in the parliament of this kingdom, on the 10th of October 1774, did give, and cause and procure to be lent, to divers persons, *viz.* all the persons that voted for him, each of them having a right to vote in the said

election, the sum of five guineas, as a bribe and reward to procure the said several persons to give their respective votes in that election for the said defendant, in order that he might be elected and returned a burgess to serve for the said borough of Hindon in the then next parliament of this kingdom.

After Mr. MOYSEY had opened the Information, Mr. Serjeant DAVY stated the facts upon which the charge against the defendant was founded, and then proceeded to examine the witnesses.

A copy of the writ for the election—of the return—of the precept—and the poll, were produced, as on the former trial.

FRANCIS MEADE sworn.

Examined by Mr. Serjeant GROSSE.

Do you remember Mr. Hollis coming to Hindon?—Yes, a month or six weeks before the election he was with one John Stevens, a butcher.

What has passed concerning Mr. Hollis and Stevens in your presence?—I was billeted at the Swan, the same as the rest of the voters were, I believe, by Henry Haffe and old Benjamin Cholfey; Mr. Stevens said he had brought a gentleman to propose to the borough; I told him I thought he had no right to propose a gentleman.

What Stevens was that?—*Johben Stevens.*

Did you ever see Mr. Hollis before?—

No, nor since; I saw him at this time at the Cross: Mr. Hollis said, he was a gentleman of honour, and that he would be as good as any gentleman that should come to the borough: then there was a cry, *One and all*: Mr. Hollis said, It should be one and all.

Did any thing else pass?—Nothing more.

When was this?—About a month, or thereabouts, before the election.

Was Mr. Hollis known at Hindon at that time?—Only by the representation Stevens gave of him; he was a stranger in the borough before that time.

Do you ever remember Mr. Hollis's saying, they should be satisfied?—I think Mr. Hollis said so; but I cannot be certain to every word that passed, it being so long ago; he said it should be one and all, and I think he said, they should all be satisfied.

Do you know of any money given by Mr. Hollis or Stevens?—Not of my own knowledge.

FRANCIS MEADE cross-examined by Mr. MANSFIELD.

You were a witness before the committee of the house of commons; have you been a witness in any other cause relating to Hindon?—Yes, on the trial this morning.

Any other?—I was called in once before the house of commons.

Aye, I know you was before the committee; we have an account of that, and shall never forget you. You tell us Mr. Hollis said, he was a gentleman of honour, and should be as good as any gentleman that should come to the borough? then there was a cry, *One and all*.—Yes.

How came you to say Mr. Hollis said so?—Because I heard him.

Was any thing said, what one and all meant, any thing said about money?—Not a word.

You think there was something said about being satisfied: will you swear there was?—I cannot take upon me to say so; I believe it.

But will you take upon you to say it; or that there was a word said about satisfaction?—I cannot.

Who did you vote for?—Calthorpe and Beckford.

You had none of this charming money?—Not a farthing.

DANIEL LAMBERT sworn.

Examined by Mr. Serjeant HEATH.

Do you know Jobber Stevens?—Yes.

Had you any conversation with him about bringing a candidate to Hindon?—I heard him say that he had a friend to bring to Hindon, if it was agreeable to the town.

To whom did he say so; to you or to any other person?—To other persons.

Were they voters?—Yes.

Do you remember Mr. Hollis coming to Hindon?—Yes.

Was Jobber Stevens with him when he came?—Yes.

Where did he go when he came to town?—

What did he say there?—I cannot tell; I was not handy to him.

Did you hear Jobber Stevens say any thing to him?—No, I saw Stevens get upon the Cross; but I did not hear what he said.

Was you biffetted that day?—Yes, at the Red Lyon.

Who ordered you to go there?—I believe, ore Huffle.

Did Hollis and Stevens come to you to the Red Lion?—Yes, Mr. Hollis came to ask our votes for the general election.

How many voters were present?—Ten or a dozen.

Do you remember their names?—No.

What answer did they make?—They said they had no objection, if he would be as good as any other gentleman; some said it must be *down and down*. Mr. Hollis said, he knew the meaning of it.

Did he say any thing besides?—Not that I recollect.

Was any thing else said by the voters?—I cannot say there was.

Was Mr. Hollis known to the town before he came there?—No, he was a stranger.

Was there any mention made, when it was to be down?—Somebody made answer, *It must be once within a week*.

Did Mr. Hollis say any thing to that?—No.

Do you know of any money being distributed upon account of the election?—Not upon Mr. Hollis's account.

DANIEL LAMBERT cross-examined by Mr. BATT.

I understand you, that upon the voters saying to Mr. Hollis, *It must be down and down*, that he said he knew the meaning of that expression: do you mean to swear, that Mr. Hollis said, upon that being said by the voters, that he knew their meaning?—He said so.

You are very sure he said so in these words?—He said so.

Who were present?—Several people in the room.

Mention some of them.—I cannot recollect who were in the room; there was one James Gilbert there, I believe; William Prior, I believe.

Did Mr. Hollis say this loud?—Yes.

So that all might have heard it that were in the room?—Yes, I think they did.

How came you not to swear this before the committee, when you was examined upon this subject?—Very likely I was not asked the question.

But you was asked what Mr. Hollis said: How came you not to give that account to the committee?—I don't know that I was asked the question.

Mr. Batt. You were not asked it. Now you was asked to tell every thing that Mr. Hollis said, and you made use of no such words.

REUBEN BURNETT *sworn.*

Examined by Mr. POPHAM.

Are you a voter at Hindon?—Yes.

Do you know Mr. Hollis?—Yes.

Do you know *Jobber Stevens*?—Yes.

Do you remember when Mr. Hollis and *Jobber Stevens* were together at the Swan at Hindon?—Yes.

How long was it before the election?—I don't know, it was a little while before the election.

Was that the first time you saw Mr. Hollis?—Yes; when *Jobber Stevens* first came, he said he had brought a gentleman to represent the borough of Hindon, and he hoped it would be agreeable to all friends. Mr. Meade stood by; he said, Has the gentleman got nothing to say for himself? He stood back, and the gentleman came forward. Mr. Hollis said, Gentlemen I came to represent the borough, and hope it will be agreeable to all friends. Edward Piercy said, Down and down: *Jobber Stevens* said, in regard to down and down, it would not be wanted.

Was Mr. Hollis present at that time?—He was.

REUBEN BURNETT, *cross-examined by*
Mr. BULLER.

Were there many people there at the time?—Yes, there might be half a score, or fourteen or fifteen.

All talking together?—Yes, when the gentleman came in.

Was Lambert there?—I don't recollect his being there, but he might be there.

What house was this at?—The Swan.

What was done with Piercy, when he said Down and down?—Becket said, if you do not give the gentleman liberty to speak for himself, I will kick you out at the door.

Was not Piercy turned out of the room, upon saying it must be down and down?—I do not know that he was.

Did not you swear before the committee, that Piercy, when he said that, was ordered out of the house?—No.

Was Piercy ordered out at all?—He was ordered out at the time.

When?—When he said Down and down.

Who ordered him out?—The landlord, John Becket, because he did not give the gentleman liberty to speak.

Where was Mr. Hollis when this was said?—In the same room, the kitchen.

And must therefore hear this. How near was he to Stevens when he said that would not be wanting?—A little distance.

Did Mr. Hollis hear Stevens say that would not be wanted?—I don't know that he did hear it.

Was Mr. Hollis as near to Stevens as you was?—No, he was not.

Was Mr. Hollis near enough to Stevens to hear?—He might be near enough: he might hear it, or he might not.

Stevens was his friend?—Yes.

Did you ever see Mr. Hollis there without *Jobber Stevens*?—No.

ANDREW FARRAT *sworn.*

Examined by Mr. MOYSEY.

Do you remember when Mr. Hollis came to Hindon?—Yes, the 29th of August 1774.

How did he come?—In a post-chaise.

Do you recollect who was with him?—John Stevens, the butcher.

Any body else?—And another gentleman unknown: they came there in a chaise.

Did you see him when you came to the Cross?—Yes.

What passed at the Cross?—Mr. Hollis said he was a gentleman recommended by Stevens, the person who was with him.

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What else did he say?—That he came as a candidate to the borough.

Did he say any thing more?—Yes, he said he was an honourable gentleman, and he would always behave honourably by the town.

Was that all he said?—I don't remember any thing more.

What did the people say?—Some people cried, One and all: *Jobber Stevens* said, they had no cause to dispute that: I don't remember any thing else that was said.

Was Mr. Hollis present?—Yes, close to him.

So there was a great hollowing of One and all.

—Yes.

Was that explained?—Not then.

Where was you quartered?—At the Queen's Head, William Penny's.

Were there many people quartered there besides you?—Eighteen or nineteen voters.

Was you at the Swan that day?—Yes.

Was Mr. Hollis at the Swan?—Yes.

What passed at the Swan?—Mr. Hollis and Mr. Stevens came there.

What passed?—They asked the voters for their votes and interest.

Which asked the voters for their votes and interest?—Stevens first asked; he said it was a gentleman that he recommended to the borough: Francis Meade was present; he said he did not know that he had any business to recommend a gentleman to the borough, and asked Stevens if the gentleman had any thing to say for himself; Mr. Stevens drew back, and said he had.

Was any thing said?—Yes, the gentleman said, he was recommended by Mr. Stevens; that he was an honourable gentleman, and would always behave good to the town, and would be as good as any gentleman.

Was any thing more said by Mr. Hollis or Mr. Stevens?—No, nor that I remember.

You was at Salisbury, I believe, just afterwards?—Yes, the Friday following.

Did you see Stevens there?—Yes.

What did he say to you, or you to him?

I was coming along the street; I saw him; I asked him when he would come to Hindon, that Mr. Hollis's friends were very uneasy.

What did he say to that?—He said he should be there in a short time; for he had got every thing in order to bring; he said he should not be there himself, but he would send

some friend who would answer the purpose as well: I was going away; he called me back again, and told me to give his compliments to Mr. Lucas at the George, and desire him to meet a friend of his at the White Horse, next night.

Who does the White Horse belong to?—One William Harding.

Did you go there?—Yes, I went, and delivered my message to Mr. Lucas, and he sent me there; the next evening two gentlemen came in a carriage to the White Horse; I went to the White Horse; when I came to the back part of the house, there were a great many people there; it was a back-house; some time after I was there I got in, and went up into a room.

Who did you find there?—I found one Harry Huffle, a baker, there, and Jack Stevens, a brother to *Jobber Stevens*, and an unknown gentleman in black. They ordered Thomas Stevens Hagg, John Edwards a labourer, and James Lambert, and myself, to put our names to a note; the other three made their marks; I put my name: the gentleman said, it did not signify, as they could not write their names, but they knew what it was for.

How much money did you get?—Fourteen guineas, and two half guineas.

Did they all get alike?—Yes, as far as I know.

What was the manner of giving the money?—Through a hole over the door.

Did these other three people you mention put up their hand to the hole too?—Yes, and received the money in the same way.

ANDREW FARRAT cross-examined by Mr. MANSFIELD.

Who did you vote for?—Richard Beckford, Esq, and General Smith.

Did you ever tell any body what you would swear concerning Mr. Smith and Mr. Hollis?

—No.

Then you never said, that you would be revenged of Hollis and Smith, and you would be damned if Beckford should not sit in the house?

—I never spoke such a word.

You know that was sworn about you before the committee?—Yes, but it was very false.

There was a false thing sworn about you?—Yes.

But every body at Hindon believed you said so. — No, they did not.

The people there were so cruel to you, that they believed you had said so? — I do not imagine they did.

You know John Fricker? — Yes.

Had you any conversation with him about it? — Never in my life.

That was false too that was sworn about you and Fricker? — Yes, it was.

Then a great number of your neighbours traduce and speak ill of you, and all without cause. I dare say you have a good memory, and let nothing slip that you heard said. Now Mr. Hollis began by saying, *I am an honourable gentleman*, and that he was recommended by Stevens? — Yes.

You know he was recommended by Stevens, they came in a chaise together, and before Mr. Hollis spoke, Stevens spoke, and then Becket desired to know whether Mr. Hollis had not something to say for himself: so Stevens makes a speech, recommending Mr. Hollis; upon which Mr. Hollis is asked if he has not something to say for himself, and then he says, *Gentlemen, I am recommended by Mr. Stevens*? — Yes.

Mr. Serjeant Davy. Where were these 15 guineas given you? — At the back-house belonging to the White-Horse.

JOHN BALDWIN sworn.

Examined by Mr. Serjeant Davy.

You are a voter at Hindon? — Yes.

Do you remember Mr. Hollis's coming there? — Yes.

Who came with him? — *Jobber Stevens*, who lives at Salisbury.

When did they come together? — In August 1774, a little before the election.

Where did they go? — They went to the Cross first, and afterwards, I believe, they went to the George.

You don't know what passed at the Cross? — I don't know what Mr. Hollis said.

That was the place of billeting, I believe.

He told the people they should go to the same house they had been billeted to the Saturday before.

Which house was you billeted to?

The Rose and Crown.

Who came to you at the Rose and Crown? — Mr. Hollis and *Jobber Stevens*, and a person I did not know, came together.

Was that the same day Mr. Hollis came to the town first? — Yes.

What did Mr. Hollis say? — That he came to canvass the town, and he hoped he should find friends in the town: the voters said, It must be one and all; *Jobber Stevens*, I think it was, said, there was no doubt.

Was Mr. Hollis present when that was said? — Yes; one Joseph Lamb a voter said, the sooner they had the dose the easier it would be.

Did the people say any thing about playing-up? — The voters told him, if he would play-up there would be no fear of his election; Joseph Lamb said, the sooner they had the dose the easier it would be; Mr. Hollis or Stevens said, there would be no doubt of it.

Were the words last mentioned said either by Mr. Hollis or Stevens, that there would be no doubt of it, spoke immediately after Lamb's saying, the sooner the dose the easier he would have it? — I cannot recollect every word.

Do you remember afterwards being at the White-Horse? — I do.

When was that? — The Saturday night following that.

The White-Horse is Harding's? — Yes.

Who were present then? — I cannot recollect.

Who drew the notes? — Those who were in the house; there was Benjamin Cholley the elder, Henry Huffle, Jacob Stevens, and another man I did not know, who drew the notes.

What notes do you speak of? — I don't know what the notes were, I never read them.

Did you put your name to the paper? — Yes.

And what favour did you receive? — The favour of 15 guineas.

How did you receive it? — At a hole over the door.

Did any more sign that note besides you? — Yes, three more; William Brookes, John Stevens, and Isaac Davis.

Who did you vote for? — Hollis and Calthorpe.

How was the money given? Was it counted out to you, or how? — It was twisted up in a bit of paper, and put through this hole into my hand.

JOHN BALDWIN, *cross-examined by Mr. BATT.*

There appears to be some confusion in the account you give of what passed after Mr. Hollis came to the Rose and Crown; repeat it. — Mr. Hollis said he was come to canvass the town, and hoped he should find friends in the town: they said, it must be *One and all*. He or *Jobber Stevens* said, *There would be no doubt of it*. They told him if he would *play-away*, or *play-up*, or something of that kind, there would be no fear of his election: then Joseph Lamb said, that the sooner the dose the easier it would be; and either Mr. Hollis or *Jobber Stevens*, which I cannot recollect, replied, there was no doubt of that.

JEREMIAH LUCAS *sworn.*

Examined by Mr. Serjeant GROSSE.

Do you remember Mr. Hollis's coming to Hindon? — No.

When did you see him? — Not till just before the election.

Did you go to the White-horse? — Yes.

When? — Upon Saturday night.

Was any body with you? — A great many people.

Did you receive any thing there? — A ten pound note, and five guineas and a half, and I gave sixpence out of it.

Did you pass for a voter at that time? — I did.

Mr. Baller. Your charge in the Information is, *persons having a right to vote*.

Mr. Serjeant Davy. There is a count of divers persons *claiming a right to vote*.

You received the fifteen guineas, did you sign a note? — Yes.

Who received any thing with you? — I don't remember the persons; there were three besides me signed the note, but I cannot remember either of them.

Upon whose account did you receive this money? — Upon the behalf of Mr. Hollis.

Mr. Buller. Was there a word said about Mr. Hollis? — Yes.

By whom? — A hundred people I believe.

Do you recollect any of them? — No.

Did not you swear before the committee, that the major part of the town told you, that you was to receive the money at the White-

horse upon Mr. Smith's account? Mr. Hollis was not there? — No.

Nor was Stevens there? — No.

RICHARD INGRAM *sworn.*

Examined by Mr. Serjeant HEATH.

Was you at this White-horse? — Yes.

What for? — To receive a favour.

What was you to receive there? — Fifteen Guineas.

Upon whose account? — There was no name mentioned.

Who did you see there? — One James Davis, one Henry Hufte, and Benjamin Cholsey, those I remember; there were several more in the room, but I don't recollect them.

In what manner was it given you? — Through a hole over the door.

Did you hear *Jobber Stevens* say any thing about the White-horse? — I was in company with Andrew Farrat; and we stopped at Mr. Stevens's shop; something passed there between Stevens and Andrew Farrat, the particulars I did not take an account off; at parting I heard *Jobber Stevens* say to Farrat, *Bid Lucas be at the White-horse to-morrow night*.

SAMUEL COLYER *sworn.*

Examined by Mr. POPHAM.

Are you a voter at Hindon? — Yes.

Do you remember Mr. Hollis coming there, and *Jobber Stevens*? — Yes.

Where did you see them? — At the George.

What did they come there for? — To canvass the Borough.

Did they canvass the Borough? — Yes.

What was said and done? — They came to ask for their votes.

Do you remember any thing being said?

— Yes, the voter's cried, *One and all*.

What answer was given to it? — I do not recollect what Mr. Hollis said.

Was you at the White-horse at any time?

— Yes.

What did you go there for? — The same as the rest of my neighbours.

What was that for? — I went there for fifteen guineas.

Did you receive fifteen guineas?—Yes.
 How did you receive it?—Through a
 hole.
 Was any body else with you?—Thomas
 Penny, George Hayward, and Thomas Wyer.
 Did you sign any note?—Yes.
 Did you all sign it?—Yes.
 Did they receive the money too?—They
 held their hands up the same as I did, at the
 hole of the door.
 What did you receive this money for?—
 They did not tell me what it was for.
 Who did you vote for?—For Mr. Hol-
 lis.
 Did you ever see Mr. Hollis at Hindon be-
 fore this time?—Not before the first time
 he came.
 But he won your heart at once?—Yes.

THOMAS MOORE sworn.

Examined by Mr. MOYSEY.

Do you remember being at Salisbury upon
 the 4th of September, or thereabouts in 1774?
 Yes.

Did you see Jobber Stevens there?
 Yes.

What did you say to him, or he to you?
 I asked him if he could help me to the
 honour as the rest of my neighbours had; for
 Mr. Hollis, he said he had nothing to do with

Did you go to him for that purpose or meet
 him by chance?—For that purpose but I
 hope I am not to convict myself, the other
 part may tend to condemn myself. He said he
 would go to the Three Lyons and meet some-
 body there, and I should come up afterwards
 and see him there; that is the greatest part that
 I can remember.

After you came out from the Three Lyons,
 did you see Stevens again?—Yes, in the
 market-place.

Have you a son that is a voter of Hindon?
 He went for a vote.

What did Stevens say about your son's vote?
 I don't chuse to convict myself.

EDWARD MEADE was called upon his Subpoena;
 but did not appear.

THOMAS PENNY sworn.

Examined by Mr. Serjeant DAVY.

Were you a voter at the Hindon Election?
 No, I did not vote, but I was deemed
 a vote before the election.

Do you know Jobber Stevens?—Yes.
 How long have you known him?—
 Eleven or twelve years, or more.

He is a voter at Hindon?—He has been
 formerly.

He lives at Salisbury, and is a butcher?

Yes, I remember Jobber Stevens and
 two gentlemen coming to my father's house;
 my father asked Jobber Stevens what the gen-
 tlemans name was, he said, his name was Hol-
 lis; Mr. Hollis said he came recommended by
 Jobber Stevens, to present himself as a candi-
 date for the ensuing election for Hindon, and
 the voters said, down and down.

Where was this?—In my father's fore-
 parlour the Queen's head: Mr. Hollis said, it
 shall be down, and that soon.

You dealt but in short speeches at your Bo-
 rough. Mr. Hollis said he came recom-
 mended by Stevens as a candidate at the en-
 suing election, the men said, it shall be down
 and down, and Mr. Hollis said it shall be down,
 and that soon. What passed next?—No-
 thing more at that time; the Saturday follow-
 ing I went to the White Horse.

What passed there?—I and three more
 gave a note.

How many more might be in the room?

There was Jobber Stevens's brother, and
 two more there when I went in: Samuel
 Colyer, George Hayward, and Thomas Wyer
 joined with me in a note, that note was for
 60 guineas.

How much had you?—Fifteen guineas.

How did you receive that?—Through a
 hole over the door.

Do you know who that came from?

No, it was handed through a hole over the door
 in loose money.

Did you sign the note before you had the
 money, or after?—Before.

Who did you offer to vote for?—I did
 not offer to vote for any body.

H

Who

Who did you engage your vote for?—
I kept that to myself till I came to the cross.

In whose behalf did you receive the fifteen guineas?—That I cannot say.

You knew you was no vote then?—No, I thought I was a vote.

And you went and received the favour?—
Yes.

Whose favour?—I cannot say.

Who bid you go to the White-horse?—
It was reported that money was going to pass there, therefore I went to the White-horse.

Whose money?—I did not know that, I have said so before.

So you went there not knowing whose money it was, nor what it was for?—I was not certain of that.

Who did you understand it was for, whose favour did you understand it to be?—I understood it was in Mr. Hollis's favour.

THOMAS PENNY *cross examined by Mr. BATT.*

I believe you was examined before the committee of the House of Commons, and gave a very long account of this matter there?—
Yes.

What did you tell the committee was the answer Mr. Hollis made when the voters said *down and down*?—Mr. Hollis said, *it should be so, and that* *down*.

Was that the answer you make to the Committee?—That was down upon my examination.

You have read your examination lately?—
Yes.

Then you have read it to little purpose; the words you said before the committee was, *it should be as good as any other gentleman*; not that it should be so; now, you say, that in answer to the voters saying *down and down*, he said *it should be so*, which is the truth; they cannot both be true? If Mr. Hollis only said one, now which is the true account?—
The meaning of both goes to one thing.

I desire to know which of the accounts that you have sworn to is true?—That which I have sworn last is true, and that is what I have sworn in London.

Mr. Batt. Then that which you said before cannot be true, of course.

Mr. Sergeant Dwyer. Did or did not Mr. Hollis say that he was recommended by Stevens to offer himself a candidate, and that he would be as good as any other gentleman?—Yes.

Mr. Batt. You said you just read over this examination; what was the reason of that?—
To be sure not to make any mistake.

You were afraid of not telling the truth I suppose?—No, I came here to tell the truth.

How lately have you read it?—I cannot tell exactly.

Tell me within a day or two?—When I was in London about a fortnight ago?

You said just now that the money was Mr. Hollis's, what reason had you for thinking so?

I could think no other as he came to canvass the town so soon afterwards.

WILLIAM CHADWORTH.

Examined by Mr. Sergeant GROSSE.

Do you live at Hindon?—Yes.
Do you remember Mr. Hollis's coming to Hindon?—Yes.

When was it?—In August.

Who did he come with?—With Balthar Stevens.

Where did you first see him at Hindon?—
At the Cross.

What did he say there?—That he was come to offer himself a candidate for the Borough of Hindon; at the next ensuing election, and hoped he should have the favour of their votes; Stevens said Mr. Hollis was an honourable gentleman, and would behave with honour, then the voters said it must be *one and all*.

What else did they say?—I cannot recollect what they said besides.

Did Stevens say anything when they said so at the Cross?—I cannot say he did.

What did the voters say when Stevens proposed Mr. Hollis at the Cross?—They said it must be *one and all*.

Was there any thing else said?—I don't recollect now.

Did you hear Stevens say any thing more at that time?—I cannot recollect that I did.

Was this Stevens *Jobbs Stevens*?—Yes.

When

When was it afterwards that you saw Mr. Hollis?—The same day, at the Rose and Crown.

What was said then?—We were, some of us billeted there; he came in, and said he hoped he should have the favour of our votes and interest: we told him, we had no objection, provided he was as good as another gentleman: Mr. Stevens said, he made no doubt of it.

Was Mr. Hollis present?—Yes.

What was further said by Stevens?—Nothing further: some of the voters asked him when it might be; he said, Your time shall be my time; they made answer, the sooner the better: he said, once within a week he would do something for them.

Court. Did Stevens say all this?—Yes, some of the voters asked him how much it might be; Stevens lifted up his hands, holding up his five fingers, and said, Gentlemen, twice this: we took that to be, that it should be twenty guineas.

Did you go at any time afterwards any where?

To the White Horse, about a week afterwards, according to Stevens's orders.

What passed at the White Horse?—I found there Henry Huffer, Benjamin Cholsey, and Jacob Stevens's brother, and another gentleman that I did not know.

What was done when you got up there?—

There was this gentleman a writing of notes; there was a note put to me to sign it.

Did you sign it?—Yes.

Did any body else sign with you?—Yes, Edward White, Richard Ingram, and James Davis: the gentleman asked me to drink a glass of punch, which I did; the note was put into a hole over the door, and I put my hand up to receive the favour.

For whom was you to receive it?—We took it, that it was to vote for Mr. Hollis.

Did any body tell you who it was to vote for?—No.

What was it you received at the hole of the door?—Fifteen guineas I received in my hand.

Did the rest receive any thing?—They

put their hand to the hole; I cannot tell what they received.

WILLIAM CRABB cross-examined by Mr. MANSFIELD.

Who were present at the Rose and Crown when this passed, that you have mentioned?—There were eighteen or nineteen of us: there was one Joseph Lamb.

Who else?—I cannot recollect.

Not recollect one?—I cannot say I can, to be certain.

Was Richard Ingram there?—I cannot say.

Jeremiah Lucas?—I cannot recollect.

You can recollect none but Lamb?—No.

Can you recollect any other man that saw this holding up of hands?—I suppose, every body there must see it.

ELIAS STEVENS was called upon his subpoena, but did not appear.

Mr. Serjeant Doby. My Lord, we rest our case here on the part of the prosecution.

Mr. MANSFIELD made a speech to the jury in behalf of the defendant, but did not call any witnesses.

Mr. Baron HOTHAM then summed up the evidence to the jury, who by their verdict pronounced the defendant GUILTY OF THE CHARGE ALLEGED IN THE INFORMATION.

RICHARD SMITH Esq. and THOMAS BRAND HOLLIS Esq. were brought up to the Court, of King's Bench on Saturday the 8th of June, when the Court pronounced sentence.

That RICHARD SMITH Esq. should pay a fine to the King of 1000 marks, should suffer six months imprisonment in the King's Bench, and after the expiration of that time should give security for his good behaviour for three years; himself in the sum of 1000 l. and two sureties in the sum of 500 l. each.

That THOMAS BRAND HOLLIS Esq. should pay a fine to the King of 1000 marks, and suffer six months imprisonment in the King's Bench.

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